

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

TAHVIO GRATTON,

Plaintiff,

vs.

UNITED PARCEL SERVICE, INC.,

Defendant.

Case No. 1:22-CV-3194-TOR

CIVIL MINUTES

DATE: 9/12/2024

LOCATION: Spokane 902

JURY TRIAL DAY FOUR

<b>JUDGE THOMAS O. RICE</b>		
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Bridgette Fortenberry	LC 02	N/A	Crystal Gonzalez
<b>Courtroom Deputy</b>	<b>Law Clerk</b>	<b>Interpreter</b>	<b>Court Reporter</b>
Robin J Shishido Dustin L Collier Richard E Goldsworthy Drew F Teti <b>Plaintiff's Counsel</b>		Elizabeth A Falcone Florence Z Mao Michael D Mitchell  <b>Defense Counsel</b>	

☒ Open Court☐ US Probation Officer:**8:00 am** All parties present in the courtroom w/ jury.

**8:00 am** LaShawn Butler resumes the stand previously sworn to testify.  
Direct examination by Mr. Collier continues.

Ms. Falcone moved for the admission of Defendant's Exhibit 584.  
Mr. Collier made a running objection.  
Overruled.  
Defendant's Exhibit 584 admitted over objection and published to the jury.

Defendant's Exhibit 611 discussed with witness.  
Ms. Falcone moved for the admission of Defendant's Exhibit 611.  
Exhibit 611 admitted without objection and published to the jury.

Defendant's Exhibit 571 discussed with witness.  
Ms. Falcone moved for the admission of Defendant's Exhibit 571.  
Exhibit 571 admitted without objection and published to the jury.

Defendant's Exhibit 594 discussed with witness.  
Ms. Falcone moved for the admission of Defendant's Exhibit 594.  
Exhibit 594 admitted without objection and published to the jury.

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Civil Jury Trial

Defendant's Exhibit 618 discussed with witness.

Ms. Falcone moved for the admission of Defendant's Exhibit 618.

Exhibit 618 admitted without objection and published to the jury.

Cross-examination by Mr. Goldsworthy.

Previously admitted exhibits discussed with witness.

Re-direct by Ms. Falcone.

**8:46 am Defendant rested its case-in-chief.**

Karl Leyert recalled to the stand.

Direct examination by Mr. Collier.

Video clips of witness deposition re-played.

Objections by Mr. Mitchell overruled.

Witness steps down and is excused.

**8:55 am Mr. Collier rested Plaintiff's rebuttal case.**

**8:55 am Jury excused from the courtroom.**

All parties present in the courtroom w/o jury.

The Court heard objections and exceptions to the proposed final jury instructions and proposed verdict form.

**9:24 am Recess**

**9:52 am Reconvened**

The Court instructed the jury with the final jury instructions.

Closing statement by Mr. Collier on behalf of Plaintiff.

Closing statement by Mr. Mitchell on behalf of Defendant.

Rebuttal statement by Mr. Collier.

Oath administered to the Court Services Officer to take charge of the Jury.

**11:15 am Jury excused to begin deliberations.**

**2:26 pm Bailiff advised that the jury has reached a verdict.**

**2:45 pm Jury returned to the courtroom.**

Verdict handed up.

Verdict published.

The Court polled the jury.

The Court reminded counsel of the local rule precluding contact with the jurors.

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Civil Jury Trial

**2:49 pm**

**Jury excused with the thanks of the Court.**

Ms. Falcone made an oral motion.

The Court instructed counsel to file written motions.

**2:50 pm**

**Adjourned.**

CONVENED: 8:00 AM	RECESSED: 9:24 AM	TIME: 1 HR /24 MINS	TOTAL: 2 HOURS /52 MINS
RECONVENED: 9:52 AM	RECESSED: 11:15 AM	1 HR/23 MINS	
RECONVENED: 2:45 PM	ADJOURNED: 2:50 PM	HR /05MINS	